

**APPENDIX 1**

**MUNICIPAL CODE**

**CHAPTER 10: ALCOHOLIC BEVERAGES**

## APPENDIX 1

### MUNICIPAL CODE CHAPTER 10 – Alcoholic Beverages

#### Chapter 10, Article I, Section 10-5. Police Investigation of alcoholic outlets and employees

(a) *Duties of police department.* The police department of the city shall be charged with the duty of making investigations of all persons holding city alcoholic beverage permits under this chapter. When arrests are made for violations of any state laws or city ordinances which are cause for suspension or revocation of an alcoholic beverage permit, the police department shall file affidavits with the proper state board or municipal authorities having jurisdiction over the suspension and revocation of such alcoholic beverage permits, which such affidavits shall set forth the facts and circumstances of the violation.

(b) *Fingerprinting of employees.* Every employee of a cabaret or night club who comes in contact or is likely to come in contact with the patrons thereof shall, not later than June 1, 1964, or within three days of the date of original employment, whichever date is the latest, make application with and be fingerprinted by the police department of the city for a cabaret or night club employee's identification card. Upon making application, each applicant shall furnish and file therewith three photographs of himself of passport size, 2½ inches by 2½ inches. All individuals, members of a copartnership and all officers of a corporation holding a license to sell alcoholic beverages and beer under the provisions of the beer and alcoholic beverages regulations not participating in the physical operation of such licensed premises do not require an employee's identification card. No person shall be issued a cabaret or night club employee's identification card or temporary permit who has been convicted within a five-year period of a felony or any misdemeanor involving moral turpitude under the laws of the United States, the state, the ordinances of the city, or of any other state, sovereignty, parish, county or municipality, or within a five-year period after serving a term in a penal institution. The willful furnishing by an applicant for an identification card of false information shall constitute a misdemeanor.

(c) *Identification card.* No person who comes in contact with the patrons of a cabaret or night club shall be employed on the premises after June 1, 1964, or more than three days after the date of original employment, whichever date is latest, and shall not be reemployed during such period, unless such person has obtained a current cabaret or night club employee's identification card, or temporary permit issued by the superintendent of police in such form and manner as he may prescribe. The willful employment of an employee in violation of the provisions of this section by the management of any cabaret or night club shall subject the licensee thereof to a revocation or suspension of the beer and alcoholic beverages license issued to the licensee, which revocation or suspension shall take place in accordance with subsection (e) of this section. The date of original employment, as well as the name, address and occupation, must be entered in the personnel roster book prior to the actual performance of any duties by the employee. It is the responsibility of the licensee that all employees have

their identification cards in their physical possession or on file with the licensee on the premises. The identification card, if kept on file by the licensee, must be returned to the employee upon termination of employment. Any identification card which for any reason cannot be promptly returned to the employee must be forwarded to the superintendent of police without delay. All individuals, members of a copartnership and all officers of a corporation holding a cabaret or night club license not participating in the physical operation of such licensed premises do not require an employee's identification card. The holder of an identification card or temporary permit shall:

- (1) Have the card or temporary permit in his physical possession while in the place of employment (if the card or temporary permit is on file with the licensee in the premises, such filing will be considered compliance with this provision);
- (2) Produce the card or temporary permit for inspection upon demand of a member of the police department or a representative of any law enforcement agency;
- (3) Not permit the use of identification card or temporary permit by another;
- (4) Immediately notify employer and notify superintendent of police in writing of any change in address;
- (5) Immediately report to employer and superintendent of police the loss of the card; should circumstances warrant, a duplicate card will be issued;
- (6) All cabaret and night club employees' identification cards shall expire on the anniversary of the birthday of the applicant which is nearest to a date two years subsequent to the issuing of the identification card, unless revoked, cancelled, or suspended;
- (7) A service charge of \$3.00 shall be paid by the applicant at the time of applying for a cabaret and night club employee's identification card, or a renewal of same. In the case of a lost identification card, an additional fee of \$3.00 shall be charged for each duplicate card issued. All money collected for cabaret and night club employee's identification cards shall be forwarded to the department of finance daily for deposit into the general fund of the city for the defrayal of the expense of the administration of this section.

The superintendent of police shall, after notice and hearing, suspend or revoke any identification card or temporary permit issued by him upon the finding that the holder thereof would not be eligible for the issuance of a new card under the provisions of this section, as set out above.

(d) *Record of employees.* There shall be maintained in each cabaret and night club a bound book, with pages consecutively numbered which shall contain a record of each employee. This book shall be known as the "personnel roster" and shall be available for inspection during the hours the cabaret or night club is open to the public, and entries concerning each employee shall be made in the following manner:

I.D. Card or Temporary Permit No.	Name	Present Address	Occupation	Date Employed	Date Terminated

1075	Jane Doe	69 Jane St.	Singer	1-3-61	2-4-61
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A copy of this record (personnel roster) shall be filed with the superintendent of police or the commanding officer of the precinct wherein the cabaret or night club is located upon written direction of either officer or any law enforcement officer.

(e) *Investigation, suspension or revocation of alcoholic beverages permit.* The department of police shall make periodic investigation of the businesses of all persons holding identification cards under this section, and businesses of all persons holding city alcoholic beverages permits and licenses under the provisions of this chapter, as amended. When violations of any of the provisions of this section are observed, the department of police shall file an affidavit with the mayor and the alcoholic beverage control board setting forth the facts and circumstances of the violation. A hearing shall then be held by the alcoholic beverage control board in the manner provided by law to determine whether the alcoholic beverages permit provided for in this chapter shall be suspended or revoked. When such permit is revoked, due to the violation of this section, no new permit shall be issued to the same licensee until one year after the date of revocation.

(f) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Cabarets and night club* mean any room, place or space in the city in which any musical entertainment, singing or dancing, or other similar amusement is permitted in connection with the business of directly or indirectly selling to the public alcoholic beverages. The term "musical entertainment" shall not include recorded music, reproduced through a coin operated device or otherwise, nor shall it include television or radio entertainment.

*Employee of a cabaret or night club* means a person employed in any capacity or title in connection with a cabaret or night club, including the licensee and any/or all persons responsible for the control or management thereof. It shall also include a concessionaire and each person employed by such concessionaire.

Section 10-6: Possible violations include:

- Sale without permit. To sell or offer for sale at wholesale or at retail any of the articles taxed in this chapter, without first having procured a permit as a wholesale or retail dealer, as may be required.
- Violation of rules, etc. To violate any lawful rule or regulation made and published by the department of finance under this chapter.
- Refusal, etc., of inspection. To refuse to allow, on demand, the department of finance or any officer or agent of the department to make a full inspection of any place of business

where any of the articles taxed in this chapter are sold or otherwise to hinder or prevent such inspection.

- Concealing violations. To use any artful device or deceptive practice to conceal any violation of this chapter or to mislead the department of finance or any agent of the department in the enforcement of this chapter, or to do any other act tending to defraud the city of its revenue.
- Failure to produce invoices. For any retail dealer or his agent or employee to fail to produce, on demand of the department of finance, all invoices of alcoholic beverages bought by him or received at his place of business within six months prior to such demand, unless he can show by satisfactory proof that the nonproduction of such invoices was due to providential or other causes beyond his control.
- False invoices. For any person to make, use, present or exhibit to the department of finance or any of its agents any invoices of alcoholic beverages which bear an untrue date or falsely state the nature or quantity of the goods invoices as provided by this chapter.

**Chapter 10, Article II, Division 3, Section 10-128. Maintenance of responsible person on licensed premises**

No alcoholic beverage outlet shall operate without someone in attendance with managing authority over such establishment. Every place not directly supervised and managed by the permittee shall designate a manager to exercise responsibility over the establishment. No alcoholic beverage outlet shall remain open unless the owner or the manager is in attendance therein. Owners and managers of such establishments shall notify the department of finance of any change in the managers employed by such establishment within five days of such change. Managers must have all the personal qualifications prescribed by law for owners. Failure of the owner to comply with this section shall constitute a penal violation of this Code.

**Chapter 10, Article II, Division 4, Section 10-157. Grounds**

(a)

Any city retail alcoholic beverage permit shall be suspended or revoked, or remedial sanctions as set forth in section 10-160 shall be imposed, for any one of the following reasons:

(1)

Selling or serving alcoholic beverages to any person under the age of 21 years.

(2)

Selling or serving alcoholic beverages to any intoxicated person.

(3)

Allowing or permitting any person under the age of 18 years to visit or loiter on any premises where alcoholic beverages are the principal commodity sold.

(4)

Permitting any prostitute to frequent the licensed premises.

(5)

Permitting any disturbance of the peace or obscene, lewd, sexually indecent, immoral or improper conduct on the licensed premises. Improper conduct, as specified in this subsection, shall consist of actions which violate the penal provisions of this Code or other penal ordinances

of the city.

(6)

Selling any alcoholic beverage not allowed by his city alcoholic beverage permit.

(7)

Employing or permitting females to frequent the premises and solicit patrons for drinks; or employing or permitting females to accept drinks from patrons and receive therefor any commission or any remuneration in any other way.

(8)

Employing anyone under the age of 18 years when the sale of alcoholic beverages constitutes the main business. Where the sale of alcoholic beverages does not constitute the main business, an employee under 18 shall not sell or dispense alcoholic beverages.

(9)

Misstating or suppressing any fact in the application for the city permit.

(10)

Operating a retail alcoholic beverage outlet in the city with any person whose alcoholic beverage permit has been revoked or denied, either as partner, agent, spouse, employer, employee, or interposed party.

(11)

Failure to pay any sales, amusement or other excise taxes due the city in connection with the licensed premises.

(12)

Violation at the premises of any of the provisions of sections 26-111 et seq., 30-651 et seq., 66-136 et seq., 66-241 et seq., and chapters 82 and 138 or any other health or sanitation ordinance of the city or the state sanitary code.

(13)

Violation at the location of any provision of the comprehensive zoning ordinance, M.C.S., Ordinance Number 4,264, as amended; provided, however, that any premises which has acquired a nonconforming use for the sale of alcoholic beverages under such comprehensive zoning ordinance shall not be considered to be in violation thereof by reason of application for renewal of an existing permit or for a new permit if the business conducted on said premise has transferred to a new party, except if such alcoholic beverage permit has not been legally used continuously for a period of six months or more at such location.

(14)

Violation at the premises of any of the provisions of the city building code.

(15)

Violation at the premises of any special condition, restriction, or proviso relative to land use or sale of alcoholic beverages at the premises imposed by ordinance of the council or specifically contained in any alcoholic beverage permit for the premises.

(16)

Conviction of the permit holder or an employee of the permit holder of a felony committed on the permitted premises or in connection with the business for which the permit holder has been granted an alcoholic beverage permit.

(17)

Fraud on the part of an administrative official or employee or on the part of the applicant in connection with the issuance of an alcoholic beverage permit for which, absent such fraud, the permit would not otherwise have been issued.

(18)

Error or mistake on the part of an administrative official or employee or on the part of the applicant in connection with the issuance of an alcoholic beverage permit for which, absent such error or mistake, the permit would not otherwise have been issued.

(19)

Determination of the existence of a public nuisance, as defined in titles 13, 14 and 40 of Louisiana Revised Statutes or any other applicable law, by a court of competent jurisdiction.

(20)

Accepting food coupons distributed by the United States Department of Agriculture as payment for alcoholic beverages and/or tobacco products.

(21)

Failing to provide the required information, pursuant to section 10-126, alerting patrons of the possible dangers to infants born to women who consume alcoholic beverages during pregnancy.

(22)

Maintaining or creating a nuisance within the meaning of article 667 of the Louisiana Civil Code.

(23)

Written complaints (individually or in petition form) from either any ten or more residents of the election precinct where the alcoholic beverage outlet is located or 70 percent of the owners of real property situated within 300 feet of any and all portions of the premises to be so used, that the outlet constitutes a nuisance as to the noise ordinance, litter ordinance or loitering of clientele in the immediate neighborhood.

(24)

Molesting passersby as prohibited in section 10-158.

(25)

Three or more violations of the litter ordinance within a period of one year.

(26)

Maintaining and operating a retail alcoholic beverage outlet in the city where two or more instances of "drug related criminal activity" or "criminal activity involving violence or weapons" or "maintenance of a nuisance", as those terms are defined in R.S. 13:4711, or weapons on or around the premises within a five-year period.

(b)

City permits for retail sale of beverages of low alcoholic content may additionally be suspended or revoked, or remedial sanctions imposed as set forth in section 10-160, where illegal gambling is intentionally conducted on the premises.

(c)

Allowing or permitting of any of the practices set forth herein as causes for city alcoholic beverage permit suspension or revocation, or for remedial sanctions being imposed, by the permit holder, his servant, agent or employee shall constitute grounds for revocation or suspension of such permit, or for remedial sanctions being imposed.

(d)

The causes for revocation and suspension or for remedial sanctions being imposed set forth in this section shall also constitute penal violations of this Code and shall be in addition to any other regulations or prohibitions now contained in this chapter, except nonpayment of excise taxes.

**Chapter 10, Article II, Division 4, Section 10-158. Molesting passersby**

City retail alcoholic beverage permits issued to retail dealers in connection with the sale of alcoholic beverages of low or high alcoholic content may be suspended or revoked by the alcoholic beverage control board whenever the owner, operator or manager of any establishment whose principal business is the sale of alcoholic beverages for consumption on the premises, or any other person, for or on behalf of such owner, operator or manager, shall permit or allow any doorman, barker, solicitor or other representative or employee of such establishment to touch, grab, manhandle or molest, by the use of any obscene gestures or words, or otherwise, any passersby for the purpose of importuning, inducing, persuading or soliciting such passersby to enter such establishment for the purpose of purchasing any merchandise sold therein, or witnessing any form of entertainment which may be staged therein.

**Chapter 10, Article III, Division 1, Section 10-187. Restrictions on use of force by persons employed by bars, lounges, and nightclubs located within the Vieux Carré**

(a)

Persons employed by bars, lounges, and nightclubs located within the Vieux Carré may not use any more physical force than necessary to protect themselves or others, including the patrons of the establishment, in accordance with the following specifications:

(1)

The use of force or violence by an employee of a bar, lounge, or nightclub upon the person of another is justifiable only when committed for the purpose of preventing a forcible offense against a person or a forcible offense or trespass against property in a person's lawful possession; provided that the force or violence used must be reasonable and necessary to prevent such offense.

(2)

The use of a sleeper choke hold, which is defined as compression of the neck by the fist or other object used to occlude the upper airway resulting in collapse of the airway and the carotid arteries causing a decrease in oxygen to the brain, by any employee of a bar, lounge, or nightclub while in the actual discharge of their duties, is strictly prohibited.

(b)

Every person employed by a bar, lounge, or nightclub located within the Vieux Carré in a capacity in which the job duties, in whole or in part, involve providing security, within 45 days after commencing employment, must successfully complete every two years the training course required by the Louisiana Responsible Vendor Program, R.S. 26:931 through 26:939, which shall include security personnel training modules and an appropriate course content for early identification and risk minimization of alcohol-related disorderly conduct and any other matters which compromise internal safety during business operations. This shall be in addition to the server training requirements of the Louisiana Responsible Vendor Program.

(c)

In any instance when any physical force is necessary to overcome resistance or aggression, or to otherwise gain control of a patron or others, the employee shall complete a "use of force report," which shall be executed on a form provided by the alcoholic beverage control board. The report shall be maintained on the premises for a period of three years and shall be available for review by the New Orleans Police Department or any authorized law enforcement agency upon request.

In any case where injury has occurred, the New Orleans Police Department shall be immediately notified.

(d)

It shall be unlawful for any person except owner/manager employed by a bar, lounge, or nightclub located within the Vieux Carré to have on his person a firearm, or other instrumentality customarily used or intended for probable use as a dangerous weapon, while in the actual discharge of their duties.

(e)

Upon receipt of an application for employment, a criminal background check shall be performed by the bar, lounge, or nightclub located within the Vieux Carré prior to hiring any individual in a capacity in which the job duties, in whole or in part, involve providing security.

(f)

Each owner of a bar, lounge, or nightclub located within the Vieux Carré has an affirmative obligation to secure written acknowledgement from every employee that he/she has received and read a copy of this section and that he/she understands said law. The employee's signed acknowledgement must remain on the premises at all times.

(g)

Any time that an officer of the New Orleans Police Department arrives on the scene of any incident at a bar, lounge, or nightclub located within the Vieux Carré, the owner(s)/employee(s) of the establishment must immediately cease any and all use of force and permit the New Orleans Police Department to assume control of enforcement procedures.

(h)

Any city alcoholic beverage permit shall be subject to suspension, revocation, or other remedial sanctions as set forth in section 10-160 for any violation of the provisions of this section.

(i)

The provisions of this section shall only apply to bars, lounges, and nightclubs located between the river, the uptown side of Esplanade Avenue, the riverside of Rampart Street and the lower side of Iberville Street. The provisions of this section are not intended to apply to restaurants and hotels as defined by the occupational license even though they might have a licensed bar on premises.

### **Chapter 10, Article III, Division 3, Section 10-371. Dancers and performers under 21 not permitted**

No servant, agent, independent contractor, or employee under the age of 21 shall be allowed or permitted to dance, perform, or entertain while unclothed or in such attire, costume, or clothing that does not completely and opaquely cover genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola. No employee of such an establishment shall be under the age of 18. It shall be the responsibility of the business owners and operators of an establishment where alcoholic beverages of high or low alcoholic content are sold to prohibit any servant, agent, independent contractor, or employee of the establishment from violating this section.

If the alcoholic beverage control board determines that an alcoholic beverage outlet is in violation of this section, the penalties shall be as follows:

First offense: The alcoholic beverage permits shall be suspended for a period of no less than seven calendar days.

Second offense: The alcoholic beverage permits shall be suspended for a period of no less than 30 calendar days.

Third offense: Alcoholic beverage permits shall be suspended for a period of no less than 90 calendar days.

Fourth offense: Alcoholic beverage permits shall be suspended for one year or revoked, as determined by the board.

Nothing contained herein shall prohibit the alcoholic beverage control board from imposing additional remedial sanctions as set forth in section 10-160.

#### **Chapter 10, Article III, Division 5, Section 10-430. Prostitution on premises prohibited**

No person owning, operating or having control of any barroom, tap room, saloon or other place where alcoholic beverages are sold shall permit or allow prostitution or the soliciting of patrons to consort with prostitutes on, within or upon the same premises or within the same building, the location for which a license has been issued under this chapter for the sale of alcoholic beverages.

#### **Chapter 10, Article III, Division 5, Section 10-431. Lewd, etc., behavior prohibited**

No person shall be permitted to create any disturbance of the peace, use obscene language, behave in a lewd, immoral or improper manner or conduct entertainment of such a nature in any business premises mentioned in this chapter.

#### **Chapter 10, Article III, Division 5, Section 10-433. Illegal to act as solicitor**

(a)

It shall also be unlawful for any person while in any establishment described in section 10-432 to solicit or induce any person on such premises to purchase for himself or for such solicitor or any other person any beverage or other product of whatever kind sold in such establishment and, for the purpose of this chapter, it shall be immaterial whether or not such solicitor realizes or expects to realize any profit or reward as a result of any such solicitation.

(b)

The provisions of this section shall not apply to any proprietor, manager, bartender or waiter, whether they be male or female, when those persons are asking the customer if he or she desires to purchase a drink or product for the customer, himself, or herself. But the proprietor, manager and the employees shall not request drinks or products for themselves or any other person other than the customer being served.

#### **Chapter 10, Article III, Division 5, Section 10-434. Nudity, sexual conduct of employees**

(a)

The following acts or conduct on the premises of licensed alcoholic beverage outlets are prohibited:

(1)

Employment or use of any person in the sale or service of alcoholic beverages in or upon the licensed premises while such person is unclothed or in such attire, costume, or clothing as to expose to view any portion of the female breast below the top of the areola or of any portion of the pubic hair, anus, cleft of the buttocks, vulva, or genitals.

(2)

Employment or use of the services of any hostess or other person to mingle with the patrons while such hostess or other person is unclothed or in such attire, costume, or clothing as described in subsection (1) of this subsection.

(3)

Encouraging or permitting any person on the licensed premises to touch, caress, or fondle the breasts, buttocks, anus, or genitals of any other person.

(4)

Permitting any employee or person to wear or use any device or covering, exposed to view, which simulates the breast, genitals, anus, pubic hair, or any portion thereof.

(b)

It shall be unlawful for any alcoholic beverage permittee to permit any person on the licensed alcoholic beverage outlet premises to perform acts of or acts which simulate:

(1)

Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law.

(2)

The touching, caressing, or fondling of the breast, buttocks, anus, or genitals.

(3)

The displaying of the pubic hair, anus, vulva, genitals, nipple of the female breast.

#### **Chapter 10, Article III, Division 5, Section 10-435. Entertainment of burlesque or striptease shows to be from stage or platform**

All shows acts, entertainment, dances, exhibitions or other form of entertainment presented in any place or establishment described in section 10-432 or elsewhere, wherein a striptease or burlesque performance is conducted or engaged in, shall be performed entirely upon a stage or platform which shall be raised at least 18 inches above the floor. Nothing contained in sections 10-186, 10-366 through 10-371, and 10-403 through 10-436 of this Code, as amended shall be construed as repealing section 54-253, M.C.S., Ordinance No. 828, as amended defining and prohibiting the offense of obscenity or any other part of this Code.

#### **Chapter 10, Article III, Division 5, Section 10-436. Penalty for second offense**

Any person who is convicted a second time for the violation of sections 10-432 to 10-434 shall be sentenced to a term of imprisonment of not less than 60 days nor more than 90 days and to a fine of not less than \$50.00 and not more than \$100.00, at the discretion of the court.

**APPENDIX 2**

MUNICIPAL CODE

CHAPTER 54: CRIMINAL CODE

## APPENDIX 2

### **MUNICIPAL CODE CHAPTER 54- Criminal Code**

#### **Chapter 54, Article V, Division 2, Section 54-251. – Prostitution**

#### **Chapter 54, Article V, Division 2, Section 54-252. – Soliciting for prostitution**

#### **Chapter 54, Article V, Division 2, Section 54-253. – Prostitution loitering**

#### **Chapter 54, Article V, Division 2, Section 54-254. - Lewd conduct.**

- a. It shall be unlawful for any person to commit the crime of lewd conduct.
  1. A person is guilty of lewd conduct if he intentionally performs any lewd act in a public place when such act is likely to be observed by a person.
  2. As used in this section, a lewd act is:
    - i. An exposure of one's genitals; or
    - ii. Sexual intercourse; or
    - iii. Masturbation; or
    - iv. Urination or defecation.

#### **Chapter 54, Article V, Division 2, Section 54-256. – Public Display of explicit sexual material**

#### **Chapter 54, Article V, Division 2, Section 54-256.1. - Prohibited public display of signs containing vulgar, explicit or offensive language.**

Signs containing language with vulgar content, explicit sexual descriptions, offensive written descriptions directed to a gender, class, racial or religious category or any combination of words including phonetic spellings or a foreign language equivalent which can be interpreted or defined as sexually suggestive, containing lewd connotations, or used to promote, solicit, depict, define, recruit, advertise or initiate immoral conduct, unlawful behavior or provide visual access to carnal language shall be prohibited by law including, but not limited to, electronic signs, permanent signs, temporary signs, fixed stationary or movable and transportable signs of any size. Penalties for violation of this section shall include a \$1,000.00 fine for each first offense and a \$5,000.00 fine for each additional violation.

#### **Chapter 54, Article V, Division 2, Section 54-259. – Sale, exhibition, or distribution of material harmful to minors**

(a)

The unlawful sale, exhibition, rental, leasing, or distribution of material harmful to minors is the intentional sale, allocation, distribution, advertisement, dissemination, exhibition, or display of material harmful to minors, to any unmarried person under the age of 17 years, or the possession of material harmful to minors with the intent to sell, allocate, advertise, disseminate, exhibit, or display such material to any unmarried person under the age of 17 years, at a newsstand or any

other commercial establishment which is open to persons under the age of 17 years.

(b)

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Descriptions or depictions of illicit sex or sexual immorality includes the depiction, display, description, exhibition or representation of:

1. Ultimate sexual acts, normal or perverted, actual, simulated, or animated, whether between human beings, animals, or an animal and a human being;

2. Masturbation, excretory functions, or exhibition, actual, simulated, or animated, of the genitals, pubic hair, anus, vulva, or female breast nipples;

3. Sadoomasochistic abuse, meaning actual, simulated, or animated, flagellation or torture by or upon a person who is nude or clad in undergarments or in a costume which reveals the pubic hair, anus, vulva, genitals, or female breast nipples, or the condition of being fettered, bound, or otherwise physically restrained, on the part of one so clothed;

4. Actual, simulated, or animated, touching, caressing, or fondling of, or other similar physical contact with, a pubic area, anus, female breast nipple, covered or exposed, whether alone or between humans, animals or a human and an animal, of the same or opposite sex, in an act of apparent sexual stimulation or gratification; or

5. Actual, simulated, or animated, stimulation of the human genital organs by any device whether or not the device is designed, manufactured, and marketed for such purpose.

Material harmful to minors means any paper, magazine, book, newspaper, periodical, pamphlet, composition, publication, photograph, drawing, picture, poster, motion picture film, video tape, figure, phonograph record, album, cassette, compact disc, wire or tape recording, or other similar tangible work or thing which exploits, is devoted to or principally consists of, descriptions or depictions of illicit sex or sexual immorality for commercial gain, and when the trier of fact determines that the average person applying contemporary community standards would find that the work or thing is presented in a manner to provoke or arouse lust, passion, or perversion or exploits sex.

(c)

It shall be unlawful to invite or permit any unmarried person under the age of 17 years of age to be in any commercial establishment that exhibits or displays any item, material, work or thing of any kind that is described in subsection (b) of this section.

(1)

Lack of knowledge of age or marital status shall not constitute a defense, unless the defendant shows that he had reasonable cause to believe that the minor involved was either married or 17 years of age or more and that the minor exhibited to the defendant a draft card, driver's license, birth certificate or other official or apparently official document purporting to establish that such a minor was either married or 17 years of age or more.

(2)

For the purpose of this section, exhibition or display means the exhibition or display of material harmful to minors as defined in subsection (b) of this section so that, as displayed, depictions and representations of illicit sex or sexual immorality are visible to minors, or that an unmarried person under the age of 17 years is permitted to see or examine the contents of the material harmful to minors.

(3)

A commercial establishment shall not be in violation of this section if the commercial establishment provides for a separate area for the exhibition or display of material harmful to minors and designates the area "NOT FOR MINORS" or similar words and the commercial establishment prohibits unmarried minors under the age of 17 years from seeing or examining the contents of material harmful to minors.

(d)

Whoever is found guilty of violating the provisions of this section shall be fined not less than \$100.00 nor more than \$1,000.00 or imprisoned for not more than one year, or both.

#### **Chapter 54, Article V, Division 2, Section 54-260. – Obscene live conduct**

- a. It shall be unlawful for any person to engage in, participate in, manage, produce, sponsor, present or exhibit obscene live conduct.
- b. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning: *Hardcore sexual conduct* is the public portrayal, for its own sake, and for ensuing commercial gain of:
  1. Ultimate sexual acts, normal or perverted, actual, simulated, and animated, whether between human beings, animals, or an animal and a human being;
  2. Masturbation, excretory functions or lewd exhibition, actual, simulated, or animated, of the genitals, pubic hair, anus, vulva, or female breast nipples;
  3. Sadomasochistic abuse, meaning actual, simulated or animated, flagellation, or torture by or upon a person who is nude or clad in undergarments or in a costume that reveals the pubic hair, anus, vulva, genitals, or female breast nipples, or in the condition of being fettered, bound, or otherwise physically restrained, on the part of one so clothed;
  4. Actual, simulated, or animated touching, caressing, or fondling of, or other similar physical contact with a pubic area, anus, female breast nipple, covered or exposed, whether alone or between humans, animals or a human and an animal, of the same or opposite sex, in an act of apparent sexual stimulation or gratification; or
  5. Actual, simulated, or animated stimulation of a human genital organ by any device whether or not the device is designed, manufactured, or marketed for such purpose.

*Obscene live conduct* means the intentional:

1. Exposure of the genitals, pubic hair, anus, vulva, or female breast nipples in any public place or place open to the public view with the intent of arousing sexual desire or which appeal to prurient interest or is patently offensive; or
2. Participation or engagement in, or management, operation, production, presentation, performance, promotion, exhibition, advertisement, sponsorship, or display of, hardcore sexual conduct when the trier of fact determines that the average person applying contemporary community standards would find that the

conduct, taken as a whole, appeals to the prurient interest; and the hardcore sexual conduct is presented in a patently offensive way; and the conduct taken as a whole lacks serious literary, artistic, political, or scientific value.

**APPENDIX 3**

MUNICIPAL CODE

CHAPTER 30, ARTICLE III: MAYORALTY PERMIT

## APPENDIX 3

### MUNICIPAL CODE CHAPTER 30 - Mayoralty Permits

Sec. 30-66. - Rules and regulations.

The director of the department of finance shall prescribe such other rules and regulations as to the form of the application for permits and their issuance as may be required to carry out the full intent and purpose of this article.

Sec. 30-67. - Penalties and interest.

All mayoralty permits must be obtained prior to the occasion for which it is issued. If the applicant fails to secure the permit prior to the occasion, the following penalties and interest shall apply:

(1)

Mayoralty permits acquired on a regular yearly basis shall become delinquent February 1 of that year. If the regular yearly permit is not obtained by February 1 of that year, there shall be interest added to the fee at the rate of eight percent per annum from the due date until paid. In addition to the interest that may be added, a penalty shall be imposed at the rate of 20 percent of the fee if the failure to obtain such permit is for not more than 30 days and with an additional 20 percent for each additional 30 days or fraction thereof during which the failure continues, not to exceed 60 percent of the amount of the fee.

(2)

Mayoralty permits acquired on other than a regular yearly basis shall become delinquent at the start of the occasion. If the permit has not been obtained prior to the occasion, there shall be interest added to the fee at the rate of eight percent per annum from due date until paid. In addition to the interest that may be so added, a penalty shall be imposed at the rate of 50 percent of the fee.

(3)

The director of the department of finance may, at his discretion, for good cause, waive, in whole or in part, any of the penalties provided in this section.

(Code 1956, § 46-15)

Sec. 30-68. - Permits nontransferable.

Permits issued under the authority of this article III shall be nontransferable either as to individuals, location or item as defined in sections 34-318 through 34-220.

Sec. 30-69. - Mayoralty permits required for various callings or occasions.

Permits shall not be required for the sale by an individual of tickets at or below face value to athletic contests or other amusement events, provided that tickets are not sold or offered for sale within 750 feet of the grounds of the Superdome when the event related to the ticket is being conducted or within six hours of the scheduled commencement of such event.

Except for such sale by an individual of tickets at or below face value to athletic contests or other amusement events, within said 750-foot buffer zone, every person who shall desire to use the public streets, sidewalks or other public or private places of business establishments for the

conduct of any of the businesses or callings hereinafter set forth shall first apply to and obtain from the department of finance a permit. Such permit shall in each instance state the occasion for which it is issued and the date upon which it will expire and shall be in addition to any other tax or license to which permittee may be liable. Except as otherwise provided, annual permits expire on December 31. Such permits, however, are not valid within the central business district area bounded by the river on the east, Claiborne Avenue on the west, Esplanade Avenue on the north, and Howard Avenue on the south, except as provided in this article.

Cross reference— Mayoralty permit required for street entertainers, § 30-1452 et seq.; mayoralty permit required for certain Mardi Gras activities, § 34-216 et seq.; mayoralty permits and certain restrictions on certain sales in the central business district, § 34-218; mayoralty permits required for peddlers and itinerant vendors selling artifacts, § 110-76 et seq.; mayoralty permits required for artists, § 110-121 et seq.; mayoralty permits required for flower vendors and peddlers, § 110-151 et seq.; mayoralty permits required for food vendors, § 110-186 et seq.; mayoralty permits required for certain soliciting, § 110-221 et seq.; mayoralty permits required for transient vendors, § 110-256 et seq.; Vieux Carré, ch. 166.

## **APPENDIX 4**

### **BUILDING CODE**

#### **TYPE OF WORK EXEMPT OF BUILDING PERMITS AND CERTIFICATE OF OCCUPANCY**

discontinued by the company or board concerned upon written notification by the Director.

## SECTION 105

### PERMITS

**105.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas or mechanical system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Director and obtain the required permit.

**105.1.1 Annual Permit.** In lieu of an individual permit for each alteration to an already approved electrical, gas, or mechanical installation, the Director is authorized to issue an annual permit upon application therefore to any person, firm or corporation regularly employing one or more qualified trade persons in the building, structure or on the premise owned or operated by the applicant for the permit.

**105.1.2 Annual Permit Records.** The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The Director shall have access to such records at all times or such records shall be filed with the official as designated.

**105.2 Work Exempt from Permit.** Exemptions from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of the City of New Orleans including Vieux Carré Commission and Historic District Landmarks Commission requirements.

A building permit shall not be required for the following, unless in the opinion of the

Director it involves hazardous or complex conditions which require permitting and inspection:

- (1) Removal and replacement of deteriorated weather boards, aluminum or vinyl siding.
- (2) Removal and replacement of deteriorated floor boards.
- (3) Removal and replacement of deteriorated porches and steps - front and rear and sides, when not in conflict with the Zoning Ordinance.
- (4) Interior painting, papering and similar finish work.
- (5) Paving of yard when in compliance with applicable Zoning Ordinance.
- (6) Retaining walls which are not over three (3) ft. in height.
- (7) Exterior painting when not requiring protective scaffolding over public property.
- (8) Roofing and/or gutter work with respect to one and two family dwellings.
- (9) Fences up to seven (7) ft. in height.
- (10) Swings and other playground equipment accessory to detached one- and two-family dwellings.
- (11) Tents with an area less than 1200 sq. ft. and not located in the Fire District (See Section 421).

**Electrical:**

Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

**Radio and Television Transmitting Stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to

equipment and wiring for power supply, and the installations of towers and antennas.

**Temporary Testing Systems:** A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

**Gas:**

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

**Mechanical:**

1. Portable heating appliance;
2. Portable ventilation equipment;
3. Portable cooling unit;
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code;
5. Replacement of any part which does not alter its approval or make it unsafe.
6. Portable evaporative cooler;
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

**105.2.1 Emergency Repairs.** Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the Director.

**105.2.2 Repairs.** Application or notice to the Director is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable

electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

**105.2.3 Public Service Agencies.** A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

**105.3 Application for Permit.** To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the department of Safety and Permit for that purpose.

Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in

Section 106.

## **APPENDIX 5**

### **LOUISIANA STATE LAW**

## APPENDIX 5

### STATE LAW

*2011 Louisiana Laws*

*Revised Statutes*

*TITLE 26 — Liquors-alcoholic beverages*

*Chapter 1. Alcoholic Beverage Control Law*

*Part II. Permits*

*RS 26:90 — Acts prohibited on licensed premises; suspension or revocation of permits*

B. The following acts or conduct on licensed premises are deemed to constitute lewd, immoral, or improper entertainment as prohibited by this Section and therefore no on-sale permit for beverages of low alcoholic content shall be held at any premises where such conduct or acts are permitted:

(1) Employment or use of any person in the sale or service of alcoholic beverages in or upon the licensed premises while such person is unclothed or in such attire, costume, or clothing as to expose to view any portion of the female breast below the top of the areola or of any portion of the pubic hair, anus, cleft of the buttocks, vulva, or genitals.

(2) Employment or use of the services of any hostess or other person to mingle with the patrons while such hostess or other person is unclothed or in such attire, costume, or clothing as described in Paragraph (1) of this Subsection.

(3) Encouraging or permitting any person on the licensed premises to touch, caress, or fondle the breasts, buttocks, anus, or genitals of any other person.

(4) Permitting any employee or person to wear or use any device or covering, exposed to view, which simulates the breast, genitals, anus, pubic hair, or any portion thereof.

C. Acts or conduct on licensed premises in violation of this Section are deemed to constitute lewd, immoral, or improper entertainment as prohibited by this Section and therefore no on-sale permit for beverages of low alcoholic content shall be held at any premises where such conduct and acts are permitted.

D. Live entertainment is permitted on any licensed premises, except that no permittee shall permit any person to perform acts of or acts which simulate:

(1) Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law.

(2) The touching, caressing, or fondling of the breast, buttocks, anus, or genitals.

(3) The displaying of the pubic hair, anus, vulva, genitals, or nipple of the female breast.

E. Subject to the provisions of Subparagraph (b)(i) of Subsection D of this Section, entertainers whose breasts or buttocks are exposed to view shall perform only upon a stage at least eighteen inches above the immediate floor level and removed at least three feet from the nearest patron.

F. No permittee shall permit any person to use artificial devices or inanimate objects to depict any of the prohibited activities described above.

G. The following acts or conduct on licensed premises are deemed to constitute lewd, immoral, or improper entertainment as prohibited by this Section and therefore no on-sale permit for

beverages of low alcoholic content shall be held at any premises where such conduct or acts are permitted: including the showing of film, still pictures, electronic reproduction, or other visual reproductions depicting:

- (1) Acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.
- (2) Any person being touched, caressed, or fondled on the breast, buttocks, anus, or genitals.
- (3) Scenes wherein a person displays the vulva or the anus or the genitals.
- (4) Scenes wherein artificial devices or inanimate objects are employed to depict, or drawings are employed to portray, any of the prohibited activities described above.

H. Violation of this Section by a retail dealer's agent, associate, employee, representative, or servant shall be considered the retail dealer's act for purposes of suspension or revocation of the permit.

I. Violation of this Section is punishable as provided in R.S. 26:521 and is also sufficient cause for the suspension or revocation of a permit.

J. Notwithstanding the issuance of a permit by way of renewal, the commissioner may revoke or suspend such permit, as prescribed by this Chapter, for violations of this Section occurring during the permit period immediately preceding the issuance of such permit.

*2014 Louisiana Laws*

*Revised Statutes*

*TITLE 15 - Criminal Procedure*

*RS 15:541.1 - Posting of the National Human Trafficking Resource Center hotline; content; languages; notice; civil penalty*

§541.1. Posting of the National Human Trafficking Resource Center hotline; content; languages; notice; civil penalty

A. All of the following establishments shall be required to post information regarding the National Human Trafficking Resource Center hotline:

- (1) Every massage parlor, spa, or hotel that has been found to be a public nuisance for prostitution as set forth in R.S. 13:4711.
- (2) Every strip club or other sexually-oriented business as set forth in R.S. 37:3558(C).
- (3) Every full service fuel facility adjacent to an interstate highway or highway rest stop.
- (4) Every outpatient abortion facility as defined by R.S. 40:2175.3.

B.(1)(a) Such posting shall be no smaller than eight and one-half inches by eleven inches and shall contain the following wording in bold typed print of not less than fourteen-point font:

"If you or someone you know is being forced to engage in any activity and cannot leave, whether it is commercial sex, housework, farm work, or any other activity, call the National Human Trafficking Resource Center hotline at 1-888-373-7888 to access help and services."

(b) Such posting shall also comply with any other requirements established by regulations promulgated by the commissioner of the office of alcohol and tobacco control in accordance with the Administrative Procedure Act.

(2) The language in the posting shall be printed in English, Louisiana French, Spanish, and any other languages that the commissioner of alcohol and tobacco control shall require.

C. The following departments of the state shall provide each establishment described in Subsection A of this Section over which that department exercises any regulatory control or authority with the notice required by this Section. The departments shall post on their websites a sample of the posting described in Subsection B of this Section which shall be accessible for download. The departments are as follows:

(1) Department of Revenue and the office of alcohol and tobacco control.

(2) Department of Transportation and Development.

(3) The Department of Health and Hospitals.

D. A civil penalty in accordance with R.S. 26:96(A) may be assessed for each violation of this Section. The departments listed in Subsection C of this Section or any law enforcement agency with jurisdiction are charged with the enforcement of this Section.

## **APPENDIX 6**

### **MAYORALTY PERMITS FEE SCHEDULE**

2207 Wired Telecommunications Carriers	5	513310
2816 Women's & Girls' Cut & Sew Blouse & Exempt		315232
2817 Women's & Girls' Cut & Sew Dress Ma Exempt		315233
2815 Women's & Girls' Cut & Sew Lingerie, Exempt		315231
2819 Women's & Girls' Cut & Sew Other Ou Exempt		315239
2818 Women's & Girls' Cut & Sew Suit, Coat Exempt		315234
1114 Women's Clothing Stores	1	448120
14 Women's Footwear (except Athletic) M Exempt		316214
128 Women's, Children's & Infants' Clothir	2	422330
2810 Women's, Girls' & Infants' Cut & Sew /	2	315212
20 Wood Container & Pallet Manufacturi Exempt		321920
81 Wood Kitchen Cabinet & Countertop M Exempt		337110
18 Wood Window & Door Manufacturing Exempt		321911
1183 Wrecking & Demolition Contractors	2	235940
2054 Zoos & Botanical Gardens	1	712130

Mayoralty Permit Code	Mayoralty Permit Code	Description	Fees
-----------------------	-----------------------	-------------	------

8000 Exempt Street Entertainers (17 years c	0	
8151 Weighing Devices/Penny Machine	30.25	
8152 Toiletries sold on street other than Ma	30.25	
8200 Street Entertainers/Musicians	15.25	
8201 Reader/in Jackson Square only	50.25	
8250 Weighing Devices/Nickel Machine	50.25	
8251 Novelties on City Streets	50.25	
8252 Hot Tamalels/Hot Dogs	25.25	
8253 Home Manufact/Homemade Articles	100.25	
8254 Exhibitions/Expositions/Admissions Ch	250.25	
8255 Music for Entertainment,Dancing/No /	500.25	
8256 Candies, Nuts & Confections	25.25	
8257 Ice Cream & Related Confections	25.25	
8258 Sell Photographs/Parties Pose	50.25	
8400 Manually Paint, Sketch or Draw(Jacksc	20.25	
8401 Manually Paint, Sketch or Draw (Pirate	20.25	
8402 Manually, Paint, Sketch or Draw (Edisc	20.25	
8403 2(14)(B) MEMBER TO CANVASS/SOLIC	50.25	
8404 Member to Canvass/Solicit-Crew Merr	50.25	
8405 Orchestras in Businesses/No Admissio	500.25	
8408 Cooked Foods, Cake, Pies, Etc.	100.25	
8410 Mechanical Devices for Amusement	100.25	
8420 Putt-Putt, Shooting Gallery, Etc.	200.25	
8430 Handmade Artifacts	100.25	
8440 Music for Entertainment,Dancing/Adn	750.25	
8450 Fruit,Vegetables sold from Motor Prop	100.25	
8451 .2(8)ANIMAL DRAWN/MORTOR PROP.	100.25	
8460 Fruit, Vegetables Sold on Foot or from	100.25	
8480 Cut Flowers Sold on City Streets	100.25	
8481 Cut Flowers Sold in Special Area	100.25	

8510 Photographs - Delivered Later	500.25	
8520 Cabaret & Nightclub Dance Hall/Applic	100	
8521 Places Owned/Operated by Clubs for I	100	
8522 All Other Dance Halls/Application Fee	75	
8523 Dance Schools & Studios/Application F	75	
8524 Conduct Business for Manager(s)	100	
8525 Teen Clubs/Application Fee	50	
8530 ABO BOARD FINES	759	
8531 ABO Processing Fee(s)	250	note March
8532 VCC OLT Issuance Fee (s)	50	
8533 VCC OLT Processing Fee	25	
8534 VCC ABO Processing Fee	25	
8535 VCC ABO Issuance Fee	100	
8536 ID Charges	5	
8537 PHOTOCOPYING	1	
8538 COST OF AUDIT	100	notes fees
8550 Retail Sale/Temporary Quarters	25.25	
8551 Special Event Parking/Temporary	25.25	
8560 Retail Sale-Temp. Quarters w/ Enterta	500.25	
8570 Public/Trade Show w/Retail Sales	500.25	
8580 Buying Precious Stones	500.25	
8590 Urban Marketplace Vendors (10)	500.25	
8591 Secondhand Jewelry Dealer	50.25	
8592 Adult Books, Magazines, Etc.	2500.25	
8593 Adult Entertainment/No Admission Ch	100.25	
8594 Adult Entertainment/Admission Charg	250.25	
8605 Boutique Sale	10.25	
8610 Boxing, Wrestling, Etc./Admission Less	30.25	
8611 Dancing/Admission \$0.00 to \$0.75	30.25	
8612 Rummage/Garage Sale	30.25	
8613 Entertainment Except Churches or Sch	30.25	
8614 Sporting Event/Admission \$0.00 to \$0.	50.25	
8615 Private Dance in a Public Hall	30.25	
8616 Dinner/Suppers in Private Homes	30.25	
8617 Philharmonic/Symphonic Recitals,Ope	30.25	
8620 Sporting Event/Admission More Than	50.25	
8621 Philharmonic/Symphonic Recitals,Ope	50.25	
8622 Boxing, Wrestling, Etc./Admission Mo	50.25	
8623 Conduct Parade, Motorcade, Etc./Non	50.25	
8624 Demonstration of Food Products/Devi	50.25	
8625 Entertainment Except Churches or Sch	50.25	
8626 Going Out of Business Sale	50.25	
8627 Dancing/Admission \$0.76 to \$1.99	50.25	
8630 Dancing/Admission \$2.00 and Over	100.25	
8639 Conduct Parade, Motorcade, Etc./Mar	100.25	
8640 Conduct Parade, Motorcade, Etc.	750.25	
8701 Sandwiches, Food, Soft Drinks/Fixed Li	500.25	

8701a	Food/Beer and Mixed Drinks/Fixed Loc	500.25
8701b	Food and Beer/Fixed Location-Mardi C	500.25
8701c	Beer and Mixed Drinks Only/Fixed Loc	500.25
8701d	Beer Only/Fixed Location-Mardi Gras	500.25
	8702 Candy, Nuts, Confections/Fixed Locati	500.25
	8703 Novelties/Fixed Location-Mardi Gras	500.25
	8704 Sandwiches, Food, Soft Drinks/Moving	100.25
	8705 Candy, Nuts, Confections/Moving Ven	100.25
	8706 Novelties/Moving Vendor-Mardi Gras	100.25
	8707 Carnival Ball/Mardi Gras Season	50.25
	8708 Mardi Gras S/T Deposit/Fixed Locatio	1000
	8709 Mardi Gras S/T Deposit/Moving Vendc	200
	8710 Sales Tax Deposit	50
	8711 1-Day Swch, Food,Soft Drinks/Fixed Lc	50.25
	8712 1-Day Candy,Nuts,Confec./Fixed Loc.-f	50.25
	8713 1-Day Novelties/Fixed Location-Mardi	50.25
	8714 1-Day Swch,Food,Soft Drinks/Moving '	25.25
	8715 1-Day Candy,Nuts,Confec./Moving Ve	25.25
	8716 1-Day Novelties/Moving Vendor-Mard	25.25
	8721 Authorized Bingo Games	100.25
	8722 Authorized Raffles/Games of Chance	10.25
	8723 Pull Tabs (Bingo Hall)	250.25
	8724 Pull Tabs (Other Locations)	50.25
	8725 Pull Tabs (1 Occasion)	15.25
	8726 Bingo Lessor	1000.25
	8727 Electronic Video Bingo	100.25
	8750 Food/Beer and Mixed Drinks/Fixed Loc	500.25
	8751 Food and Beer/Fixed Location-Mardi C	500.25
	8752 Beer and Mixed Drinks Only/Fixed Loc	500.25
	8753 Beer Only/Fixed Location-Mardi Gras	500.25
	8754 1-Day Food/Beer & Mixed Drinks/Fixe	50.25
	8755 1-Day Food and Beer/Fixed Location-N	50.25
	8756 1-Day Beer & Mixed Drinks Only/Fixed	50.25
	8757 1-Day Beer Only/Fixed Location-Mardi	50.25
	8800 Hazardous Waste/Liquid/Solid/Gas	25.25
8800a	Hazardous Waste/Service stations	100.25
	8801 Escort Service Operator	500.25
	8802 Escort	250.25
	8803 Escort Service Telephone Operator	250.25
	8804 Nursing Home	25.25
	8805 Private Identification Bureau	25.25
	8806 Bed & Breakfast 1 to 2 Rooms	200.25
	8807 Bed & Breakfast 3 to 5 Rooms	600.25
	8808 Cabaret & Nightclub Dance Hall/Permi	100.25
	8809 Places Owned/Operated by Clubs for I	75.25
	8810 All Other Dance Halls/Permit Fee	75.25
	8811 Dance Schools & Studios/Permit Fee	50.25

8812 Teen Clubs/Permit Fee	50.25
8815 Auction	25.25
8816 Public Outcry Sales of Jewelry/Mercha	25.25
9149 Beer-Special Event	135
9150 Liquor-Special Event	500
9151 Beer	135
9152 Liquor	500
9153 Wine (package only)	300
9155 Chain store tax	1

## **APPENDIX 7**

### **OCCUPATIONAL LICENSE APPLICATION**



Date	_____
Tracking Number	_____

## OCCUPATIONAL/GENERAL BUSINESS LICENSE (MASTER APPLICATION)

An Occupational or General Business license is required if you will be conducting business in Orleans Parish. After applying with the Bureau of Revenue, a zoning inspection is performed by the Department of Safety and Permits and/or State Health Department, depending on the nature of the business being opened. Once you have approval from the appropriate entitie(s), you will then return to the Bureau of Revenue to submit payment of your estimated taxes.

- A. New Business** Is Home Based? \_\_\_\_\_ Is purchase of new business (Name of previous owner \_\_\_\_\_)
- B. Change in Status of Existing Business** (Account Number \_\_\_\_\_)
- C. Other** (Please specify) \_\_\_\_\_

### APPLICANT INFORMATION

Name \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Cell \_\_\_\_\_ Email \_\_\_\_\_

### BUSINESS INFORMATION

For Profit \_\_\_\_\_ Not for Profit \_\_\_\_\_

Trade Name \_\_\_\_\_

Legal Name \_\_\_\_\_

Business Address/Business Location \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ Web \_\_\_\_\_

FEIN \_\_\_\_\_ CPNC (if applicable) \_\_\_\_\_ No. of Employees \_\_\_\_\_

#### Legal Type of Business

Sole Proprietor \_\_\_\_\_ Other: \_\_\_\_\_ Partnership \_\_\_\_\_ Corporation \_\_\_\_\_

### OWNER/OFFICER INFORMATION

Name \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ SSN \_\_\_\_\_

Email \_\_\_\_\_

Driver's License No. \_\_\_\_\_ State \_\_\_\_\_

Gender \_\_\_\_\_ DOB \_\_\_\_\_ Place of Birth \_\_\_\_\_

Name \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ SSN \_\_\_\_\_

Email \_\_\_\_\_

Driver's License No. \_\_\_\_\_ State \_\_\_\_\_

Gender \_\_\_\_\_ DOB \_\_\_\_\_ Place of Birth \_\_\_\_\_

Name \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ SSN \_\_\_\_\_

Email \_\_\_\_\_

Driver's License No. \_\_\_\_\_ State \_\_\_\_\_

Gender \_\_\_\_\_ DOB \_\_\_\_\_ Place of Birth \_\_\_\_\_

Name \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ SSN \_\_\_\_\_

Email \_\_\_\_\_

Driver's License No. \_\_\_\_\_ State \_\_\_\_\_

Gender \_\_\_\_\_ DOB \_\_\_\_\_ Place of Birth \_\_\_\_\_



Date _____
Tracking Number _____

## OCCUPATIONAL/GENERAL BUSINESS LICENSE (MASTER APPLICATION)

### AUTHORIZED AGENT INFORMATION

 Name \_\_\_\_\_ Title \_\_\_\_\_  
 Address \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Email \_\_\_\_\_

### PROPERTY OWNER INFORMATION

(Required for commercial businesses)

 Name \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_  
 Email \_\_\_\_\_

Type of business currently being operated: \_\_\_\_\_

If no business currently operating: Type of previous business \_\_\_\_\_ Date Closed \_\_\_\_\_

Type of business requested \_\_\_\_\_

Wholesale \_\_\_\_\_ Retail \_\_\_\_\_ Other (Specify \_\_\_\_\_)

Is this a change of owners or operator only? Yes \_\_\_\_\_ No \_\_\_\_\_

### INDICATE LICENSE/PERMIT APPLIED FOR

- |                                    |  |
|------------------------------------|--|
| Occupational/Insurance License Tax | Artist Permit  |
| Alcohol Beverage Permit            | Mechanical/Electronic Device License Tax   |
| Chain Store Tax                    | Annual Operator's License  |
| Amusement Permit                   | Other Permits/Fees (E.g. Manager Permit, Bed and Breakfast Permit, Vieux Carre Fees, etc.) |
| Hotel /Bed and Breakfast           |  |

**Please provide a detailed description of the proposed business and the type of sales, activities or services it performs in the box below.**

### ADDITIONAL INFORMATION (PLEASE COMPLETE ALL THAT APPLY)

<b>Chain Store</b> Total Number of Stores _____	<b>Amusement Permit</b> Entertainment with Admission Charge Entertainment without Admission Charge	<b>Artist Permit</b> A Permit Jackson Square B Permit Pirates Alley C Permit Edison Park
<b>Alcohol Beverage Permit</b> Class A General (retail outlet, consumption on/off premises e.g. bar, lounge, club, special event, etc.) Class A Restaurant Class A Restaurant Conditional Class B General (consumption off premises: retail outlet, wholesale outlet, package liquor store, etc.)	Beer Liquor Wine (Package Only)	<b>Hotel/Bed and Breakfast</b> Number of rooms _____

### SIGNATURES INDICATE LICENSE/PERMIT APPLIED FOR

I certify that the above information is true and correct to the best of my knowledge. I understand that the City of New Orleans is authorized to suspend or revoke a permit or license issued under the provisions of its Municipal Code wherever a permit or license is issued in error or on the basis of incorrect, inaccurate or any false statement or misrepresentation, or in violation of any ordinance or regulation or any of the provisions of the City of New Orleans Municipal Code, the Comprehensive Zoning Ordinance, the International Construction Code or International Fire Code as adopted by the City of New Orleans. Fines and penalties for misrepresentation of material facts will be assessed in accordance with City of New Orleans ordinances and State of Louisiana Revised Statutes.

I understand that I must report any change in business ownership, operation, and/or address immediately.

Owner/Officer Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

## **APPENDIX 8**

SCHEDULE A: OCCUPATIONAL LICENSE

REVENUE DEPARTMENT APPLICATION

For Office Use Only: Zone Commodity Code Account Number Filing Frequency

Zone	Commodity Code	Account Number	Filing Frequency
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1 Date of Application	Month	Day	Year	2 Opening Date	Month	Day	Year
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3 Type of Application

A  New Business (  Home based business  Purchase of a business Name of previous owner \_\_\_\_\_ )

B  Change in Status of Existing Business ( Account Number \_\_\_\_\_ )

C  Special Event (date(s) of event: \_\_\_\_\_ )

D  Other (specify: \_\_\_\_\_ )

4 Type of Ownership

A  Sole Proprietorship B  Partnership C  Louisiana Corporation D  Foreign Corporation E  Non-Profit Organization F  Other

5 Business Information

Trade Name of Business \_\_\_\_\_

Legal Name of Owner(s) (if sole owner, write last name, suffix, first name and middle initial) \_\_\_\_\_

Business Address (street, route or highway - NOT P.O. Box or general delivery) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Mailing Address (if different from business address) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

6 Tax(s) to be Collected/Remitted (check one or more boxes)		7 License/Permit Applied For (check one or more boxes)	
A <input type="checkbox"/> Sales/Use Tax	E <input type="checkbox"/> Hotel Occupancy Privilege Tax	A <input type="checkbox"/> Occupational/Insurance License Tax	E <input type="checkbox"/> Artist Permit
B <input type="checkbox"/> Parking Tax		B <input type="checkbox"/> Chain Store Tax	F <input type="checkbox"/> Mechanical/Electronic Device License Tax
C <input type="checkbox"/> Amusement Tax		C <input type="checkbox"/> Alcoholic Beverage Permit	G <input type="checkbox"/> Annual Operator's License Fee
D <input type="checkbox"/> Hotel/Motel Sales Tax		D <input type="checkbox"/> Amusement Permit	H <input type="checkbox"/> Other Permits/Fees (e.g. Manager Permit, Bed and Breakfast Permit, Vieux Carre fees, etc.)

8 Occupational/Insurance License Tax

Describe Your Business (type of sales, activities or services you perform) \_\_\_\_\_

Code Number \_\_\_\_\_ Amount Due \_\_\_\_\_

9 Chain Store Tax

Total Number of Stores Owned Whether Operated Within the City/State or Not (see instructions) \_\_\_\_\_

Amount Due \_\_\_\_\_

10 Alcoholic Beverage Permit (see instructions)

A <input type="checkbox"/> Class A - General (retail outlet, consumption on/off premises, e.g. bar, lounge, club, special event, etc.)	E <input type="checkbox"/> Beer	Amount Due
B <input type="checkbox"/> Class A - Restaurant (see instructions)	F <input type="checkbox"/> Liquor	
C <input type="checkbox"/> Class A - Restaurant Conditional (see instructions)	G <input type="checkbox"/> Wine (package only)	
D <input type="checkbox"/> Class B - General (consumption off premises, ie. retail and/or wholesale outlet, package liquor store, groceries with package liquor/beer, etc.)		

11 Amusement Permit

A  Entertainment With Admission Charge B  Entertainment Without Admission Charge

Code Number \_\_\_\_\_ Amount Due \_\_\_\_\_

12 Artist Permit

A  "A" Permit Jackson Square B  "B" Permit Pirates Alley C  "C" Permit Edison Park

Code Number \_\_\_\_\_ Amount Due \_\_\_\_\_

13 Other Permits/Licenses/Fees/Deposits/Bonds (see instructions)

Code Number	Amount Due
_____	_____
_____	_____
_____	_____

For Office Use Only: Case Number \_\_\_\_\_ 14 Total Amount Due \_\_\_\_\_

For Office Use Only:

Zone, Commodity Code, Account Number, Billing Frequency

15 Business Phone Number, 16 Fax Number

17 E-mail Address

18 Web Page Address

19 Bank Reference

20 Number of Employees, 21 If Corporation, 22 Federal Employer Identification Number, 23 CPNC Number If Applicable

24 Sole Owner, Partnership or Corporation Information

Name of Sole Owner, Partner, Officer, Member or Manager (write first name, middle initial, last name and suffix)
Title, Area Code, Home Phone Number
Home Address (street, route or highway - NOT P.O. Box or general delivery)
City, State, Zip Code
Social Security Number, Driver's License/State ID Number, State

Name of Partner, Officer or Member (write first name, middle initial, last name and suffix)
Title, Area Code, Home Phone Number
Home Address (street, route or highway - NOT P.O. Box or general delivery)
City, State, Zip Code
Social Security Number, Driver's License/State ID Number, State

Name of Partner, Officer or Member (write first name, middle initial, last name and suffix)
Title, Area Code, Home Phone Number
Home Address (street, route or highway - NOT P.O. Box or general delivery)
City, State, Zip Code
Social Security Number, Driver's License/State ID Number, State

For Office Use Only: Trade Name of Business

Trade Name of Business

For Office Use Only:

Zone	Commodity Code	Account Number	Filing Frequency
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**24 Sole Owner, Partnership or Corporation Information (continued)**

Name of Partner, Officer or Member (write first name, middle initial, last name and suffix)

Title Area Code Home Phone Number

 (   )  - 

Home Address (street, route or highway - NOT P.O. Box or general delivery)

City State Zip Code

   

Social Security Number Driver's License/State ID Number State

 -  -      

Name of Partner, Officer or Member (write first name, middle initial, last name and suffix)

Title Area Code Home Phone Number

 (   )  - 

Home Address (street, route or highway - NOT P.O. Box or general delivery)

City State Zip Code

   

Social Security Number Driver's License/State ID Number State

 -  -      

**25 Authorized Agent For Service**

Name of Agent (if individual, write first name, middle initial, last name and suffix)

Title Area Code Home Phone Number

 (   )  - 

Home Address (street, route or highway - NOT P.O. Box or general delivery)

City State Zip Code

   

Social Security Number Driver's License/State ID Number State

 -  -      

**26 Questions for Alcoholic Beverage Outlets Only**

Yes  No  Are the premises owned by the applicant? If "no", state fully:

Name of Owner of the Property	Address
Name of Prime Lessee	Address
Name of Sub-Lessee	Address
Name of Sub-Lessee	Address

Yes  No  Has a properly executed copy of your lease been filed with the Bureau of Revenue, Department of Finance, City of New Orleans, which covers the use of the property for the year which the permit is applied for? If "no", a properly executed lease must be submitted with this application. The form of leasing agreement is subject to approval by the Bureau of Revenue.

For Office Use Only: Trade Name of Business



**APPENDIX 9**

**SCHEDULE B: ALOCHOLIC BEVERAGE PERMIT  
APPLICATION**

# City of New Orleans REGISTRATION APPLICATION Schedule B

<b>For Office Use Only: Account Number</b>	<b>1</b>	<b>Date of Application</b>	<b>Month</b>	<b>Day</b>	<b>Year</b>

**2 Trade Name of Business**

**3 Business Address (street, route or highway - NOT P.O. Box or general delivery)**

**4 Name (write first name, middle initial, last name and suffix)**

**5 Association with Business**

**6 Home Telephone Number**

**7 Home Address (street, route or highway - NOT P.O. Box or general delivery)**

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**8 Social Security Number**

**9 Date of Birth** Month \_\_\_\_\_ Day \_\_\_\_\_ Year \_\_\_\_\_

**10 Place of Birth**

**11 Driver's License/State ID Number** State \_\_\_\_\_

**12 Gender**

**13 Are you a citizen of the United States?**

Male  Female  Yes  No

**14 Naturalization Number**

**15 Marital Status**

Single  Married  Widow(er)  Divorced  Legally Separated

**16 Name of your Spouse (husband or wife)**

**17 Spouse's Date of Birth** Month \_\_\_\_\_ Day \_\_\_\_\_ Year \_\_\_\_\_

**18 Is your spouse a citizen of the United States?**

Yes  No

**19 Spouse's Place of Birth**

**20 Previous Home and Business Address(s)**

Date From	Date To	Home Address	Trade Name of Business	Business Address

**21 Questions**

Yes	No	In your connection with the licensed business, are you acting for any third party or have you executed any agreements, verbally or in writing, or counter letters, granting any rights or ownership, or interest, to any other person or persons which are not disclosed in Schedule A of the Registration Application of which this Schedule B is a part?
Yes	No	Have you been convicted of a felony or misdemeanor under the laws of the United States, the State of Louisiana, the City of New Orleans, or of any other State, Sovereignty, Parish, County or Municipality?
Yes	No	Have you been a citizen of the United States and of the State of Louisiana continuously for a period of not less than two (2) years next preceding the date of the filing of this application?
Yes	No	Have you had a license or permit to sell or deal in alcoholic beverages issued by the United States, State of Louisiana, City of New Orleans, or of any other State, Sovereignty, Parish, County or Municipality, revoked within one (1) year prior to the application? If "yes", state what Agency revoked permit and for what reason:

**22 Authorization**

All information obtained as a result of your acknowledgment below will be used in all areas of this application process and any renewals thereof, including the hearings before the Alcoholic Beverage Control Board, or any appeals therefrom. I hereby authorize and acknowledge by my signature below, that I authorize the Police Department and its agents or employees to release to the Department of Finance and its agents or employees or the Law Department and its agents or employees any information received as a result of this application review including, but not limited to, all police reports, arrest records, whether municipal, state, or federal and any other documentation which make reference to me and is available to the New Orleans Police Department. I do further agree to relieve, release and indemnify the City of New Orleans' Police Department, Department of Finance, Law Department and its agents or employees from any and all liability as a result of the release of this information.

\_\_\_\_\_ Print Name \_\_\_\_\_ Applicant's Signature \_\_\_\_\_

**23 Acknowledgment**

**STATE OF LOUISIANA, PARISH OF ORLEANS**  
 Before me, the undersigned Notary Public, personally came and appeared \_\_\_\_\_, the appearers in the above and foregoing instrument, who declared under oath to me, Notary, that he/she prepared and signed the above and foregoing Schedule B, and that the instrument is tendered in support of Schedule A of the Registration Application for an alcoholic beverage permit made to the City of New Orleans by the business applicant as stated herein, and that the signature appearing thereon is his/her own, of his/her own free and voluntary act, and is for the intent and purposes therein expressed, and that he/she swears that the information given and all answers therein are true and correct.

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
 \_\_\_\_\_ Notary Public